



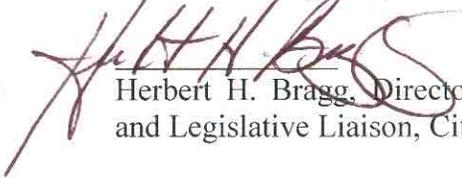
**City of Hopewell**

300 North Main Street  
Hopewell, VA 23860

December 3, 2014

To: The Honorable City Council, and Legislative Committee, City of Hopewell, Virginia

Thru: Mr. Mark Haley, City Manager, City of Hopewell, Virginia

From:  Herbert H. Bragg, Director, Intergovernmental & Public Affairs and Legislative Liaison, City of Hopewell, Virginia

RE: Summary listing of the 2015 General Assembly State Legislative Priorities

Please find attached a summary listing of the 2015 General Assembly Legislative Priorities for the City of Hopewell.

1. The City **OPPOSES** any efforts to eliminate BPOL/Machinery and Tool Tax. Any loss of these two critical revenue sources would have a devastating impact on the City of Hopewell local government.
2. The City **SUPPORTS** amending Item 69 of the biennial budget to increase jail per diems to the amount estimated to fully fund program in FY 15. The budget approved by the General Assembly includes \$10.7 million less for jail per diem than the Compensation Board indicated will be necessary to fully fund the program in each of the biennium.
3. The City **SUPPORTS** funding for Stormwater Improvement Program on urban lands to reduce the flow of excess nutrients and sediments to local streams, rivers and the Chesapeake Bay.
4. The City **SUPPORTS** full funding for state aid to Local Police Department (HB599) to assist with fighting crime and preventing criminal activity.
5. The City **SUPPORTS** full funding for K-12 education. It is essential that the state meet its constitutional responsibility to adequately fund K-12 education, including full funding for the biennial re-benchmark of Virginia's Standards of Quality.
6. The City **SUPPORTS** continued funding of the Water Quality Improvement Fund in an effort to expand the plant's facility and reduce nitrogen in our wastewater treatment processes.

Page Two

RE: Summary listing of the 2015 General Assembly State Legislative Priorities

**Federal Legislative Priorities**

1. The City of Hopewell **SUPPORTS** the land swap between the City of Hopewell Historic Aderholt-Hunter House and the Petersburg National Battlefield Park Service.

Congressman J Randy Forbes, 4<sup>th</sup> Congressional District introduced legislation (H.R 5208) on behalf of the City of Hopewell that would authorize the acquisition of 1.42 acres of land from the Conservation Fund; and Secondly, a revision to the associated park boundary to allow the preservation adaptive reuse of the historic Aderholt-Hunter House to move forward. The land swap would increase the Park Service property by more than the 21 acres allowed. The City and the Park Service is excited about this partnership and look forward to working with Congressman Randy Forbes and his staff to bring this item to fruition.

# # #

CITY OF HOPEWELL \* 300 N. MAIN ST. \* HOPEWELL, VA 23860

# MEETING NOTICE

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## HOPEWELL LEGISLATIVE REPRESENTATIVES

City of Hopewell's 2015 Legislative Priorities

**WEDNESDAY  
DECEMBER 10, 2014  
4:30 PM**

**Conference Room, 2<sup>nd</sup> floor  
Municipal Building  
300 N MAIN STREET  
HOPEWELL, VA 23860**

*Cynthia Y. Ames*, City Clerk

Inquiries: 541-2270  
Herbert Bragg, Director of  
Intergovernmental and Public Affairs

## OTHER POSITIONS

- **Curtail Predatory Lending:** Pass legislation to prohibit and deter predatory, usurious lending practices.
- **Gubernatorial Succession:** Support legislation allowing Virginia's governor to serve a maximum of two successive terms.
- **Regional Strategies:** The state should incentivize regional cooperation and service delivery to promote efficiency, mitigate inequities, and overcome barriers that result from Virginia's unique local government structure and moratorium on annexation.
- **Enact recommendations of the Governor's Task Force for Local Government Mandates:**
  - Restore the requirement that bills with a local fiscal impact must be introduced on the first day of a General Assembly Session to allow time to assess fiscal impact prior to committee action.
  - Extend the Task Force to 2016 to allow them to complete their work.
- **Remove Barriers to Lawful Voting** by providing adequate funding for local registrars, allowing no excuse early voting, and restoring voting rights for felons who have served their time.

## Who We Are

Virginia First Cities is the state advocacy coalition comprised of 13 of the state's oldest and most historic cities – the core communities of the Commonwealth. These cities are proud centers of business, commerce and culture with a diversity of opportunity for all.

### One Vision: A Vibrant Commonwealth

Charlottesville • Hampton • Hopewell • Lynchburg  
Martinsville • Newport News • Norfolk • Petersburg  
Portsmouth • Richmond • Roanoke • Staunton • Winchester



## 2014 LEGISLATIVE AGENDA

### RESTORE THE STATE-LOCAL PARTNERSHIP FOR STATE MANDATED SERVICES

VFC supports added funding for the **Priority Programs** that disproportionately benefit core cities:  
At-Risk Education Incentive Programs      State Aid to Local Police Depts. (HB 599)  
Comprehensive Services Act (CSA)      Local Jails and Per Diems  
Juvenile Justice Assistance      Community Service Boards (CSB's)  
Enterprise Zone Programs      Brownfields  
Street Maintenance Payments      Public Transit

### TRANSPORTATION/ LAND USE/ URBAN INFRASTRUCTURE

Focus resources on existing infrastructure and support land use policy initiatives that use existing infrastructure, augment city redevelopment, and discourage dispersed development patterns.

#### Street Maintenance/Primary and Urban Funds

First Cities spent \$76M more than state street maintenance payments provided in FY11. City and town streets are a vital part of the regional transportation network. They are more costly to maintain due to heavy use, age, and the need to accommodate pedestrian, bus, auto and truck service and complex adjacent utilities.

- **Adequately fund city and town street maintenance by increasing lane mileage rates.** The General Assembly increased these rates for Henrico in 2012, but city and town rates have not changed for many years.
- **Make all lane miles eligible for street maintenance payments** to be consistent with state policies for Henrico and Arlington County streets.
- **Make primary roads in cities and towns eligible for state primary funds.** These roads are technically primary "extensions". Legislation passed in 2012 inadvertently excluded this vital part of the primary road network from this key funding stream.
- **Support improvements to the Public-Private Transportation Act to increase transparency and local input.**

## Water Infrastructure

- \$50 million in FY 2015 for the Stormwater Local Assistance Fund, to continue improvements for the installation of effective storm-water controls on urban lands to reduce the flow of excess nutrients and sediment to local streams, rivers and the Chesapeake Bay.
- **Protect the Water Supply:** A Top State Priority. VFC opposes lifting the ban on uranium mining. Further, the state should develop regulations to ensure safe horizontal hydraulic fracturing.

**K-12 EDUCATION INITIATIVES TO CLOSE THE ACHIEVEMENT GAP** – Increase and target funds to student programs and hard to staff schools to improve achievement among at-risk students, improve Standards of Learning (SOL) and NCLB scores, graduation rates, strengthen Virginia's workforce and long-term economy. Add investment to these proven effective strategies:

- **School Rebenchmarking** – Remove the cap and restore school support positions to pre-recession levels.
- **Virginia Preschool Initiative - Index funding for inflation like other education programs.** The per-pupil amount has remained at \$6,000 per enrolled child since 2008. Cost is approximately \$2M annually.
- **Provide Additional Funding for Extended Year and Extended School Day Programs.** JLARC found that year round schools with additional instruction during intercessions can improve student performance, especially among minority students. The FY14 budget provided planning funds for schools interested in exploring this option. The additional costs will be known.
- **Continue to improve fund for Reading and Math Specialists.** VFC urges first priority be given to schools with a majority of at-risk students.

## VFC POSITIONS ON OTHER K-12 FUNDING PROPOSALS

- **The State should fully fund its constitutional responsibility for public education prior to funding private education programs.**
- **Support policies to improve the Local Composite Index (LCI).** JLARC proposed a population density adjustment which recognizes higher service costs and demands in urban localities.
- **Amend the mandate of SJR 328 (2013), the JLARC study of the efficiency and effectiveness of elementary and secondary school funding in Virginia to include a review of the impact of the local composite index on school effectiveness.**

## TAXATION

- **BPOL /Machinery and Tools Tax:** Oppose efforts to eliminate these important revenue sources due to the impact their loss would have on local revenue.

## HEALTH

- **Increase funding for the "Smart Beginnings" and "Healthy Families";** these are effective programs that enhance school achievement and prevent poverty.
- **Expand Medicaid to include adults up to 138% of Federal Poverty Level (FPL) under the Affordable Care Act.**

## PUBLIC SAFETY - Creating Safer Communities

- **Full funding for State Aid to Local Police Departments (599)** to maintain low crime rates in Virginia's urban areas.
- **Restore funds to the Virginia Juvenile Community Crime Control Act (VJCCCA)** which provides court-approved individualized services to delinquent juveniles to avoid intake placement.
- **Provide additional drug court funding.**
- **Increase substance abuse and mental health rehabilitation funding for juvenile detention, jail, and DOC units.** Expand existing mental health pilot programs.
- **Support prisoner reentry programs and alternatives to incarceration** that reduce overcrowding and mitigate future growth in prisoner populations. This reduces recidivism and creates safer communities.

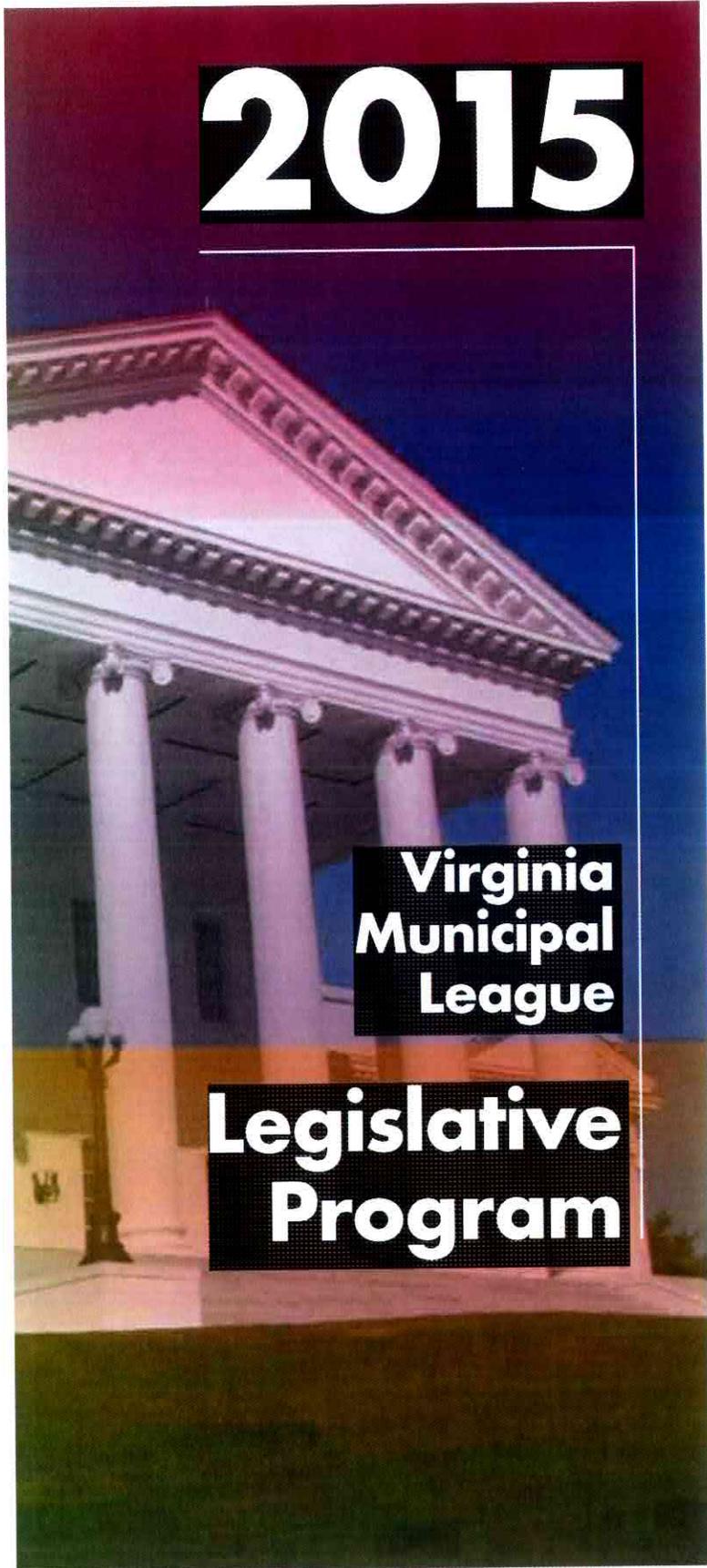
## EMPLOYMENT AND ECONOMIC DEVELOPMENT

- **Give priority for training and economic development programs to urban and rural localities with high unemployment. VFC localities had 19% of the state's unemployed.** As of July 2013, Virginia First Cities had a 7.5% unemployment rate versus the statewide rate of 5.5%. This is comparable to Southwest and Southside rates.
- **Job Training and Creation:** A comprehensive approach should include priority funds for the education of at-risk students and expanded funding for workforce training at community colleges.
- **Increase Regional Transit Access to Jobs:** Encourage financial participation by all urban/suburban localities in a region.
- **Support increasing the state minimum wage and indexing to inflation.**
- **Industrial Site Redevelopment:** Continue funding the Derelict Structures Fund to rehabilitate industrial sites for reuse.
- **Restore Brownfields Funding:** The state fund is depleted. It has been used with local and federal funds to restore land parcels and buildings with environmental problems so they can be marketed to new economic development prospects.
- **Fully fund the Enterprise Zone Program:** This is a successful public-private program that stimulates investment and job creation in economically distressed urban and rural localities.
- **Neighborhood Preservation: Support incentives and policies that maintain vibrant neighborhoods and eliminate blight by:**
  - 1) Increasing the economic feasibility of reusing vacant, abandoned, and derelict structures
  - 2) Encouraging private investment to rehabilitate buildings in older neighborhoods and commercial districts such as Historic tax credits.
- **Direct the Department of Agriculture and Consumer Services to examine the issue of food deserts in the state and strategies for their elimination, including establishing incentives for:**
  - 1) Production, distribution and procurement of foods from local farms, 2) Public-private partnerships to open and sustain full-service grocery stores in communities without access to healthy food (food deserts), 3) Encouraging food retailers to locate and increase food and beverage choices in underserved areas.

# 2015

Virginia  
Municipal  
League

Legislative  
Program



Parks  
Animal control  
Police  
Elementary schools  
Building code enforcement  
Recreation leagues  
Libraries  
Water and sewer systems  
Public transportation  
High schools  
Fire services  
Health clinics  
Garbage collection  
Storm water utilities  
Behavioral health services  
Traffic control  
After-school programs  
Landfills  
Economic development  
Street lights  
Jails  
Building inspections  
Emergency medical services  
Housing authorities  
Services for at-risk youth  
Community centers  
Middle schools  
Parking enforcement  
Hazardous materials response  
Bookmobiles  
Historic preservation  
Building permits  
Community festivals  
Medicaid eligibility  
E-911

Dear legislators,

The members of the Virginia Municipal League recognize that the underpinnings of Virginia's economy are stressed. Sacrifices will need to be made at all levels of government – and by citizens – to ensure a prosperous, sustainable future. Local governments stand ready to work with the General Assembly and the administration to craft solutions to the fiscal challenges ahead. The millions of Virginians who we represent as elected officials deserve no less.

There is no shortage of legislative issues crucial to helping local governments build vibrant communities where businesses thrive, and where the citizens we serve live, work and play. Local governments depend on a fair, reliable partnership with state government to carry out their numerous responsibilities, many of which are mandated by the General Assembly.

To improve the effectiveness of this state-local partnership, VML's 2015 Legislative Program clarifies the obligations and responsibilities owed by each on issues affecting transportation and education funding, as well as taxing authority. The specifics are spelled out in this booklet.

As always, we stand ready to work with you in meeting our mutual goals to promote the long-term prosperity of Virginia. Please call on us as you seek solutions to the many issues that you will confront during the upcoming legislative session.

Sincerely,

Kimberly A. Winn  
VML Executive Director

# VML 2015 Legislative Program

VML's membership approved the legislative program set out in this pamphlet at the annual conference held in Roanoke in October. The first five items in this program were identified as the top priorities for local governments in 2015.

## Education Funding

A strong public school system is essential to economic development and prosperity. The state must be a reliable funding partner in accordance with the Virginia Constitution and state statutes. The Standards of Quality should recognize the resources, including positions, required for a high-quality public education system. VML opposes changes in methodology and changes in the division of financial responsibility that result in a shift of funding responsibility from the state to localities. As an example, VML opposes the elimination or decrease of state funding for state-mandated benefits for school employees.

Further, VML opposes policies that lower state contributions but do nothing to address the cost of meeting the requirements of the Standards of Accreditation and Standards of Learning. The State Board of Education should identify areas within the Standards of Quality and other educational requirements, such as mandates for expenditures in the area of student health services that can be modified or eliminated in order to provide localities with greater flexibility in their use of scarce education funds.

VML supports a study by the Joint Legislative Audit and Review Commission to determine how the SOQ may be revised and adequately funded to meet the requirements contained in the Standards of Learning and Standards of Accreditation. VML also supports implementation of JLARC recommendations to promote 3<sup>rd</sup> grade reading performance.

## State Assistance to Local Law Enforcement (HB 599)

Law enforcement is a basic service of government. Funding for this service should be a shared responsibility of state and local government as it has long been for sheriffs' departments. The state's commitment to HB 599 has

increasingly lagged in the past decade, and will be sorely tested again by the recent alarms about state revenues. The committee may consider asking the Finance Policy Committee to look at this issue and consider ways in which local governments can better prove and advocate the need for consistent funding for this program.

## Transportation Funding

VML appreciates the actions taken by the General Assembly in the 2013 legislative session to boost transportation funding for new road construction, road maintenance, transit operating and capital, and rail passenger service. In order for Virginia to prosper a strong infrastructure is essential to meet the needs of commerce, commuters, and families.

VML understands that the landmark legislation from 2013 is a "down payment" or first step to comprehensively address transportation needs. More dedicated revenue for transit operations and capital as well as passenger and freight rail is needed to keep pace with growing public needs and expectations. It is also critical to find additional resources for urban and secondary road construction in light of actions taken by the state to halt allocations for these projects in the Six-Year Transportation Improvement Program.

### State and Local Government Fiscal Relationship

Governance at the local level becomes ever more challenging as the Commonwealth and the federal government add new programs, or modify existing program guidelines, and promulgate complex regulations and higher standards for local governments to implement. It is not uncommon for the state and federal governments to either underfund their share of the costs or to ignore them altogether.

To that end, the Virginia Municipal League holds as essential these principles on local taxing and budget authority:

1. Specific local revenue authority and sources cannot be further restricted without first granting and providing alternative revenue authority with reliable, sustainable revenue sources. This includes, without limitation, the BPOL and M&T taxes.
2. Local general fund revenue and special funds cannot be confiscated or re-directed to the state treasury.
3. Local governments cannot be expected to bear the expenses related to the imposition of new funding requirements or the expansion of existing ones on services delivered at the local level without a com-

mensurate increase of state financial assistance or new local taxing authority.

4. Shifting traditional state funding responsibilities onto local governments, for such services including public education, law enforcement and public safety activities, is bad fiscal policy, resulting in the stress of local finances without reductions in overall program costs.
5. Piggybacking state fees, taxes or surcharges on local government services frustrates transparency at both the state and local level.
6. Placing additional administrative burdens on local governments without sufficient resources or administrative flexibility jeopardizes the quality of services delivered at the local level.
7. State budget cuts to state mandated and other high priority programs should specify the programs to be affected by the cuts.

The Commonwealth should:

1. Enter into a dialogue with local governments to examine state requirements and service expansions that can be suspended or modified to alleviate to the degree possible the financial burden on state and local taxpayers.

Specifically, the Commonwealth should:

- Critique the Standards of Accreditation and Standards of Learning to determine which standards impose costs on local governments that are not recognized in state funding formulas. In particular, changes adopted since 2009 to SOAs and SOLs should be examined as state funding on a per-pupil basis is now below 2009 levels.
- Re-examine those Standards of Quality that the Board of Education has adopted, but that the General Assembly has not funded. These standards reflect prevailing practices necessary to improve children's academic performance. Their academic performance is crucial to students and schools meeting the accountability standards under the SOL and SOA. If funding is not available to pay for prevailing practices, the accountability standards should be adjusted so that local governments are not in the position of having to bear the entire burden of meeting these unfunded mandates.

2. Develop spending and revenue priorities that support economic development, public safety, education and other public goals. State tax credits, tax deductions and tax relief policies must receive the same scrutiny as spending programs as part of the prioritization process.
3. In times of revenue crises, review ways to increase revenues to meet constitutional and statutory obligations to Virginia citizens after all other actions have been taken including eliminating unnecessary programs, achieving greater program efficiencies, and streamlining service delivery.
4. Include local government representatives on any "blue ribbon" commission or other body established by the state that has as its purpose changes to local revenue authority or governance."

## Low Performing Schools

### State Takeover of Persistently Low Performing Schools

VML supports repeal of the legislation establishing the Opportunity Educational Institution.

### Improving Low-Performing Schools

Any approach to improving low-performing schools must include adequate state financial support. VML supports increased state funding for the Virginia Pre-school Initiative, the K-3 reduced class size program and Early Reading Intervention program. VML also supports increased state stipends for highly effective teachers in high-poverty schools, and other innovative programs.

The state has consistently underfunded the state Standards of Quality and other state accountability programs. In the absence of increased state funding, VML opposes any efforts that would transfer to the state additional local funding that localities choose to provide to school divisions. Such local funds exceed the amounts the state requires for SOQ and other state-local match programs.

## Other legislative positions

### First Day Introduction for Bills with Local Fiscal Impact

VML supports reinserting the requirement for first day introduction of bills with a local fiscal impact in the procedural resolution that governs the conduct of the General Assembly session. This recommendation was supported in the last session by the Governor's Task Force for Local Government Mandate Review and the Task Force for Fiscal Impact Review. The intent is to provide local governments more time to assess the fiscal impact of proposed legislation. During the 2014 session, delegates and senators had ten days after the start of the session to introduce legislation, leaving local governments with roughly three weeks to review bills, notify the Commission on Local Government about potential fiscal impacts and to lobby.

### Fines and Costs Collections by Treasurers

VML seeks the repeal of language in the 2014 Appropriation Act that effectively bars local Treasurers from collecting delinquent fines and costs. Commonwealth's Attorneys should have the option to choose the most efficient and effective collection agent regardless of whether the agent is a public or private entity. VML does not support efforts to monopolize collection services.

### Local Fines and Fees

VML supports a budget amendment to end state confiscation of local fines, fees and forfeitures. At the very least, the General Assembly should reform the policies and procedures associated with the Commonwealth's claims on these local dollars based on ideas introduced in the 2014 legislative session that adjusted court procedures to promote efficiencies, that narrowed the number of affected localities and that reduced the dollar amounts taken by the state.

### Water Quality Funding

Virginia's local governments face mounting costs for water quality improvements for sewage treatment plants, urban stormwater, combined sewer overflows (CSOs), and sanitary sewer overflows (SSOs). In response to federal and state legislation, regulation and policies, VML urges the federal government and the Commonwealth to provide adequate funding for these water quality improvements.

### Taxing, Licensing and Regulating Internet-based Businesses & Services

If the Commonwealth should take action to regulate private enterprises employing a business model that emphasizes the use of the Internet to either provide retail or facilitate lodging or ride-sharing services, then local government interests should be acknowledged and localities should be included in the decision-making. As general principles, VML believes state and local policies should (1) encourage a level playing field for competing services in the market place; (2) seek to preserve and/or replace local and state tax revenues; and (3) ensure safety and reliability for consumers.

### Workers Compensation – Medical Costs

Virginia should adopt Medicare-based fee schedules for setting medical provider fees in workers' compensation cases, instead of the prevailing community rate standard now used. This will make providing workers' compensation coverage more affordable and will adequately protect the financial interests of the medical providers of Virginia.

### Transportation Networking Companies

VML supports the continued option of the regulation of taxi companies at the local level. VML supports state regulation of ride-sharing companies as needed to ensure proper safety, liability, cleanliness, insurance coverage, local revenue, consideration of ADA access, and equitable service in communities.

### Municipal Net Metering

To facilitate the deployment of onsite renewable for municipal facilities VML supports (1) allowing local governments to aggregate the electric load of their governmental buildings, facilities, and any other governmental operations for the purpose of net energy metering; and (2) raising the net-metering limit from 500 kilowatts to 2,000 kilowatts for non-residential customers.

### Hydraulic fracturing petroleum extraction

The process of hydraulic fracturing raises concerns about the potential pollution of groundwater, the depletion of water supplies and an increase in seismic activity in previously benign or inactive zones. The consequences potentially are costly and irreversible to local communities. VML supports a state regulatory program that addresses these concerns while protecting the authority of local governments to regulate this type of mining activity through its land use ordinances.

## VML Executive Committee

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## VML Legislative Committee

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Street maintenance  
Public health  
Neighborhood preservation  
Recycling  
Animal shelters  
Cable television franchises  
Sidewalks  
Voter registration  
Child protective services  
Courts  
Zoning enforcement  
Farmers' markets  
Engineering  
Consumer protection  
Green Government  
Street sweeping  
Social services  
Industrial development  
Paratransit  
Fire marshal  
Electric utilities  
Comprehensive planning  
Senior citizen programs  
Community development  
Main Streets  
Kindergarten  
Elections administration  
Adult protective services  
Welfare administration  
Juvenile detention  
County fairs  
Natural gas utilities  
Airports  
Citizen boards and commissions

# About VML

The Virginia Municipal League is a statewide, nonprofit, nonpartisan association of city, town and county governments established in 1905 to improve and assist local governments through legislative advocacy, research, education and other services. The membership includes all 38 cities in the state, 160 towns and 8 counties.



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